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Attorneys for defendant,
 Watercraft Superstore, Inc.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

WEST MARINE, INC.,
 Plaintiff,

vs.

WATERCRAFT SUPERSTORE, INC.,
 Defendant.

Case No.: 5:11-04459 HRL

**STIPULATION RE: DISMISSAL OF
 ALL CLAIMS AND COUNTERCLAIMS
 WITH PREJUDICE**

Judge: Magistrate Judge
 Howard R. Lloyd

AND RELATED COUNTERCLAIMS

STIPULATION RE: DISMISSAL

STIPULATION RE: DISMISSAL

Plaintiff West Marine, Inc. ("Plaintiff") and Defendant Watercraft Superstore, Inc. ("Defendant"), by and through their respective counsel, hereby stipulate and agree that the above-captioned action, including all claims and counterclaims, be and hereby is dismissed with prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

DATED: March 29, 2013

GREENBERG TRAURIG, LLP

By: /s/ Wendy M. Mantell
WENDY M. MANTELL
Attorneys for Plaintiff
WEST MARINE, INC.

DATED: March 29, 2013

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ Allen Ruby
ALLEN RUBY
Attorneys for Defendant
WATERCRAFT SUPERSTORE, INC.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is 1840 Century Park East, Suite 1900, Los Angeles, CA 90067-2121.

On March 29, 2013, I served the document(s) described as: **STIPULATION RE: DISMISSAL OF ALL CLAIMS AND COUNTERCLAIMS WITH PREJUDICE** on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope, postage prepaid, addressed as follows:

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☒ **(BY CM/ECF)**

Pursuant to CM/ECF System, registration as a CM/ECF user constitutes service through the Court's transmission of facilities. The Court's CM/ECF system sends an email notification of the filing to the parties and counsel of record listed above who are registered with the Court's CM/ECF system.

☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 29, 2013, at Los Angeles, California.

/s/ Alexia Heatherly
Alexia Heatherly